

TO THE
MEMBERS OF THE SENATUS ACADEMICUS
OF THE
UNIVERSITY OF EDINBURGH,

GENTLEMEN,

IN consequence of your having received a written Paper of Dr Duncan senior, containing certain accusations against me, and of your having agreed to take that Paper into consideration, (after it had been for some weeks upon your table for the inspection of the Members), upon the 12th February 1825 I addressed to you, in manuscript, the following Letter.

GENTLEMEN,

I did not believe, till I received this afternoon a printed Summons to attend a Meeting on Saturday next, that you could seriously enter on your Records, and propose to take into deliberation at a specific meeting for the purpose, a Paper from Dr Duncan senior, concluding with the following proposal.

“ They may order him, Dr Hamilton, to sign a Palinode, in the following, or somewhat similar terms :

“ I hereby acknowledge, that I was guilty of a flagrant breach of
“ duty to the University, when I applied to the Patrons to assume a
“ power of interfering with the laws of the University respecting Gra-
“ duations. I also acknowledge, that my assertion in my Memorial,
“ that

“ that the Students can derive from that individual Professor, (meaning Dr Duncan senior), no additional knowledge which can enable them to cure diseases, is false and calumnious. I am sincerely sorry for those transgressions, and I humbly entreat forgiveness from the Senatus Academicus.”

Since it has pleased the Senatus Academicus to entertain this motion, I now proceed, out of deference to my Colleagues, to enter into a formal defence.

The proposed humble supplication for forgiveness relates to two alleged transgressions; one against the University at large, and the other against Dr Duncan senior individually.

With respect to the former, I hold it to be very unnecessary to offer any remark. In the measures which I have adopted to have my Class put on the same footing as similar Classes in other Medical Colleges are, I have followed the example of Dr Monro Primus; and I have acted agreeably to the legal opinion of the two Lawyers whom you, the Senatus, consulted in regard to the relative powers of the Patrons and the Senatus. The propriety or legality of such measures form a question, which, under existing circumstances, I have no doubt you will be disposed, like myself, at present to pass over.

It is to Dr Duncan's personal concerns, therefore, that I have now to direct your attention; and I beg leave to submit the following considerations: *First*, My printed Memorial, on which the accusation is founded, was put into Dr Duncan's hands on the 19th of January, 1824; and on that day he wrote to me a very friendly letter, objecting to the Memorial, but not giving the slightest hint that he had taken *personal offence* at any expressions which it contained.

On

On the 13th February 1824 Dr Duncan senior did me the honour of dining with me, in company with some of the Patrons of the University, and on that occasion he seemed, as he had always been, the old and cordial friend.

While, on the 17th of February, Dr Duncan enclosed an intended motion to be laid before the Senatus, concluding in the words to be immediately quoted, he sent a Note explicitly disclaiming all personal feelings, and pleading sense of duty to the University. His words are,

“ It is therefore moved, that Dr Hamilton be severely reprimanded,
 “ for having taken a step so unwarrantable, and so contrary to all Academic order, as to present a Memorial to the Patrons, requesting
 “ them to alter the laws respecting Graduations enacted by the Senatus
 “ Academicus.”

Again, on the 22th February 1824, I was favoured with another letter from Dr Duncan senior, beginning, “ I was your Father’s friend,
 “ I am your friend, and I have always been a friend to Midwifery,” &c. But there is not in this letter, no more than there was in the former, any allusion to my expressions in the printed Memorial respecting Dr Duncan’s Class.

It was on the 5th April last that I received the first hint of Dr Duncan’s personal hostility. It was conveyed in a printed paper, distributed to the Medical Students, and to the public at large. His words are, “ And he who has ventured to assert in print, that from the Lectures on the Institutions of Medicine given at the University of
 “ Edinburgh a Student can derive no knowledge which may enable
 “ him to cure diseases, has proclaimed himself to be either an ignorant
 “ *Empiric*, or an *arrogant Impostor*.” In the above quotation the word *additional*, which should have been prefixed to *knowledge*, was left out.

In order that there might be no doubt that I was the individual alluded to in that printed bill, the following words, in Dr Duncan's own hand writing, were added to the copy sent to me :

“ Who would not laugh, if such a man there be ?

“ Who would not weep, if *Hamilton* were he ? ”

And that it might not be supposed that the omission of the said word “ *additional* ” in the hand bill alluded to was an error of the press, Dr Duncan, in another hand bill, has repeated the same words, founding upon them a new allegation.

“ I leave you, therefore, to judge, with what regard to truth it has
 “ lately been asserted by one of my Colleagues in this University, and
 “ even in print, that from me, as an individual Professor, Students can
 “ derive no knowledge which may enable them to cure diseases. I
 “ confidently trust, Gentlemen, that your report to your fellow Students,
 “ founded on what you have heard in this room, will afford ample evi-
 “ dence, that this assertion, with regard to my Lectures, is as false as it
 “ is calumnious.”

In this latter hand bill, distributed towards the end of December last, Dr Duncan has, after brooding on the subject for eleven months, brought forward the charge against me, of having printed “ a false and
 “ scandalous libel with regard to his Lectures.”

Thus, at first, Dr Duncan senior, after studying the printed Memorial with great care, and objecting to those parts of it which called in question the powers of the Senatus, continued for a considerable time in habits of apparent friendship with me ; but by some inexplicable cause, he, on the 31st March, held me forth, in a printed hand bill distributed among the Students, as being an “ *ignorant empiric, or an*
 “ *arrogant impostor ;* ” and towards the end of the year, he was pleased

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to extend this charge into the assertion, that what I had said of his Lectures "*is as false as it is calumnious.*"

Secondly, But I have now to request you to look into the words of the printed Memorial upon which Dr Duncan senior has founded his personal accusation against me.

After having stated a particular argument, contained in page 4. viz. That since the first appointment of the Medical Faculty of the College of Edinburgh in 1726, such a change in the subjects of Medical Study has taken place, that the course of instruction absolutely essential in the year 1726 cannot possibly apply to the Students of 1823, I proceed to give a view of the duties of the several Medical Professors ; and in reference to those of the Professor of the Institutions of Medicine, the following two paragraphs are inserted.

" When the Text-Book of the Professor of the Theory of Medicine
 " is looked into, it will at once appear to the Honourable the Patrons,
 " that all the subjects of his Lectures are fully discussed by other Pro-
 " fessors. Thus, according to Dr Duncan's Heads of Lectures, his
 " Course consists of two parts, viz. what he calls Pathological Physio-
 " logy, and Therapeutics. He first comprehends an account of the
 " component parts of the human body, such as the blood, the bones,
 " &c. of the various functions essential to life, as those of digestion, re-
 " spiration, &c. and of the several senses of seeing, hearing, &c. ; and
 " under the second head he exhibits the general indications to be ob-
 " served in the cure of diseases, with a particular illustration of the
 " mode of operation of the several remedies employed with that view,
 " such as Emetics, Cathartics," &c.

" While the Memorialist can assure the Honourable the Patrons,
 " that every subject lectured upon by the Professor of the Theory of
 " Medicine, is explained either by the Professor of Anatomy, or by

“ the Professor of the Practice of Physic, or by the Professor of Materia Medica, he does not object to those subjects being brought under one view by a distinct Professor ; but he ventures to allege, that the Students can derive from that individual Professor no additional knowledge which may enable them to cure disease.”

Now, you cannot fail to remark, that in the former of those paragraphs, an account of the duties of the Professor of the Institutions of Medicine is given professedly from his own Text-Book, and that Dr Duncan senior has not ventured to allege that that account is *false and calumnious*.

With respect to the second paragraph, it is an inference deduced from the former, and it merely states, that as all the subjects comprehended under the Course of the Institutions of Medicine are treated of by other Professors, it is no part of the duty of the Professor of that particular Branch to give additional information on practical subjects to the Medical Students. This is clearly the fair import of the paragraph ; but, if we take Dr Duncan’s abstract, upon which he has founded such heavy accusations against me, viz. “ that from the Lectures on the Institutions of Medicine given at the University of Edinburgh a Student can derive no knowledge which can enable him to cure disease,” you will see at once how completely the meaning of my words is perverted, by the omission of the word *additional*, and by the suppression of the introductory and collateral remarks, which modify and explain the sense of that paragraph.

Had this subject of discussion occurred a few years ago, I should have contented myself with this exposition on that part of the argument ; but, from what has lately happened in respect to the title of my Professorship, I am sorry to find, that my *reasoning* is sometimes *unintelligible* to you, my Colleagues of the Senatus, and therefore I trouble you with a more minute detail.

In

In his second hand-bill to the Medical Students and to the Public, distributed towards the end of December last, Dr Duncan senior has inserted the following words: "I leave you, therefore, to judge, with what regard to truth it has lately been asserted by one of my Colleagues in this University, and even in print, that from me as an individual Professor, Students can derive no knowledge which may enable them to cure diseases." Now, when you look into the second paragraph already quoted, (or the first paragraph of page 9. of my Memorial,) you will see that Dr Duncan senior has confounded the Professor of the Institutions of Medicine as a *Public Character*, with himself as an *Individual*. My words are, "He does not object to those subjects, (viz. the Institutions of Medicine,) being brought into one view by a *distinct Professor*, but he ventures to allege, that the Students can derive from *that individual Professor* no additional knowledge which may enable them to cure disease." It must be on the common principles of grammar conceded, that the words *individual Professor* relate *accurately* to the antecedent words *distinct Professor*. Even if the words *incumbent Professor*, which would have meant Dr Duncan senior, had been printed by an error of the press, every man of common acquirements must have detected at once the error, as altering altogether the sense of the proposition to be proved.

Were I disposed to indulge in those feelings which have unfortunately been elicited in the present discussions, I should ask you, my Colleagues of the Senatus, if, upon such obvious misrepresentations, *which must have been at once evident on reading over my printed Memorial*, an accusation so unfounded, and so injurious, should have been seriously deliberated upon in the Senatus Academicus. It is impossible for any man of common understanding to believe, for one moment, that there was the most remote personal allusion to Dr Duncan senior in the paragraphs libelled upon; and, accordingly, he himself was many weeks at least before such an idea entered into his mind, though it must

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be admitted, that since it did so, it has taken very full possession of it.

Thirdly, Since it is thus evident, that nothing personal to Dr Duncan himself was either expressed or insinuated, it cannot be doubted, that even if the garbled and perverted words, published in the handbills to the Students, had been the *ipsissima verba* contained in my Memorial, or that I had in unequivocal language declared, that Lectures on the Institutions of Medicine are, in the present day, quite unnecessary for Medical Graduates, the expressions could not have been considered as implying a false and calumnious libel; for surely any Member of the Senatus is entitled to give his opinion of the utility of any particular Class, without the hazard of being accused of a false and calumnious libel. Thus, some of the most eminent of our Colleagues have declared, in the presence of the Professor of Botany, their decided opinion, that that interesting study is unnecessary for Medical Graduates; but it has not entered into that Professor's mind to allege, that the Gentlemen who had said so were *ignorant Empirics* or *arrogant Impostors*.

But instead of thus declaring the Institutions of Medicine to be unnecessary, you have seen in the expressions Dr Duncan has been pleased to libel upon, that I expressly declare, that I do not object to such a Professorship.

Lastly, Having thus stated such circumstances as cannot fail to convince you of the impropriety of Dr Duncan's proceedings, I have to add, as an evidence of the consequence of your having received, and agreed to deliberate upon so *prima facie* a libellous paper, that I this day received a note to the following effect.

“ Dr Duncan thinks it right also to intimate, that Dr Hamilton will
 “ be charged with the same transgression, both before the tribunal of
 “ the

“ the public, and of posterity. For that purpose, Dr Duncan intends
 “ to deposit copies of the accusation, (meaning the Speech lodged with
 “ the Senatus Academicus about three weeks ago), in every public Lib-
 “ rary in Edinburgh.”

And now, I beseech you, Gentlemen, to consider seriously the degradation into which this School of Physic must inevitably fall, if its Professors be allowed to publish to the Students, and to the Public at large, “false and calumnious libels” against their own Colleagues, founded upon groundless allegations, and garbled and partial quotations. I must express my sincere regret, that, by having passed *sub silentio* the calumnious hand-bills of Dr Duncan senior, distributed among the Students, and by having entertained, or received, or agreed to deliberate upon the no less false and calumnious accusations of that individual against me, you have forced me to seek the only remaining redress left for me; for you have now compelled me, after unexampled forbearance, to institute legal proceedings against Dr Duncan senior.

I have the honour to be,

With due respect,

JA^s. HAMILTON, Jun.

23. St Andrew's Square,
 Feb. 7th 1825.

This Letter, though dated February 7th, was not sent till the day of the Meeting, on which occasion the Reverend Principal was absent. The Chair was therefore filled by the Reverend Dr William Ritchie, and the Meeting consisted of the following Members.—The Reverend Dr Brunton, Reverend Dr D. Ritchie, Professor Dunbar, Professor Wallace, Professor Wilson, Dr Home, Dr Hope, Dr Duncan senior, Dr Duncan junior, Dr Alison, Dr Christison, and Sir William Hamilton.—Soon after the meeting, I learned, in a vague way, that a motion was made by Dr Hope, and seconded by the Reverend Dr Brunton, which conveyed some kind of *censure* upon *my conduct*.

This information reached me on the evening of the 12th February last, and I did not lose a moment in transmitting to Dr Hope the following Note :—

“ Dr Hamilton presents compliments to Dr Hope. He has been just informed, though he admits upon no certain authority, that Dr Hope made a Motion this day in the Senatus Academicus respecting Dr Hamilton, which had no immediate reference to the accusation of Dr Duncan senior.

“ As Dr Hamilton understood that the Meeting of the Senatus Academicus of this day was for the express purpose of taking into consideration “ the Motion announced by Dr Duncan senior at the late Quarterly Meeting,” &c. and as he sent a regular defence against Dr Duncan’s accusation, he certainly did not anticipate the introduction or discussion of any other subject, notwithstanding his experience of the proceedings of those Members who constitute at present the majority of the Senatus Academicus; and therefore he is willing to believe that the information he has received is incorrect.

“ But

“ But Dr Hamilton feels himself compelled to request, that Dr Hope will inform him without delay, whether he did make any motion respecting Dr Hamilton, and if he did make such Motion, that he will favour him with its precise *terms* or its *tenor*.

“ Dr Hamilton would much rather have applied to the Secretary of the University for information on this point, than to Dr Hope; but when, upon a former occasion, he requested from Dr Duncan junior an account of the proceedings of a particular Meeting, the reply was to the effect, that till the Minutes were sanctioned by a subsequent Meeting, their contents could not be communicated.”

23. *St Andrew's Square,*
February 12. 1825.”

On Monday the 14th February, I was honoured with the following *evasive* Reply.

“ Dr Hope presents his compliments to Dr Hamilton, and begs to inform him, that he is unable to communicate to him the precise terms of the Motion which he made on Saturday, as he has no copy of it.

“ It was written in the Senate Hall at the commencement of the Meeting, and was afterwards adjusted at the suggestion of his Colleagues, so as to meet their unanimous concurrence.

Queen Street, Monday,
February 14. 1825.”

My request was, to know the *terms* or the *tenor* of the Motion, and Dr Hope's answer bears, that he could not give the *precise terms*,—he prudently declined any reference to the *tenor*.

Occupied as I have been in complying with the wishes of the Patrons, and in fulfilling my duties to the Students, by extending my
Lectures

Lectures to a six months course, I made no further enquiry after receiving Dr Hope's note, till Tuesday last, (March 29th) ; when having completed my Lectures, (that is, having a Lecture prepared for every day till the termination of the course), I sent a Note, of which the following is an extract, to Dr Duncan junior.

“ Dr Hamilton presents compliments to Dr Duncan junior. He takes the liberty to request an Extract of the Protest entered by Dr Duncan senior, on the 2d of August 1824, on Dr Hamilton's being admitted as Professor in virtue of his new Commission.

“ He also feels himself compelled to request an Extract of the Proceedings of the 12th February 1825, as he was informed that a certain motion by Dr Hope was entertained by the Senatus on that occasion, of which he has not been able to learn either the *terms* or the *tenor*, *though he wrote to Dr Hope for information upon either of those points.*

23. *St Andrew's Square,*
28th March 1825.”

In consequence of the above request, I received the following authentic copy of Dr Hope's Motion.

“ Dr Hope then moved, which was seconded by the Reverend Dr Brunton,

“ That though the Senatus Academicus are perfectly sensible that many of the allegations in the Memorial presented to the Town Council, dated 19th January 1824, respecting the Medical School in general, and the Members of the Medical Faculty, and the mode in which they conduct their Lectures, in particular, are totally unfounded, highly injurious to the character of the Medical School, as well as of individual Professors, and that the conduct of Dr Hamilton is so far reprehensible ; yet, as a Committee has been
appointed

appointed to report on another Memorial, presented by Dr Hamilton to the Town Council on 13th December 1824, and sent by them to the Senatus Academicus on 22d December 1824, the Senatus Academicus delay entering into the consideration of Dr Duncan's Motion till that Report is given in, when the whole of the conduct of Dr Hamilton, in regard to the University and its Members, will be under the view of the Senatus Academicus. Which Motion was unanimously adopted; and the Senatus Academicus remitted the charges brought by Dr Duncan senior, along with Dr Hamilton's Letter, to the Committee, who were requested to take into consideration the whole subject, and to report without delay.

(Signed)

ANDREW DUNCAN, Junior."

When my first feelings on reading this extract had a little subsided, I sent, on Wednesday March 30th, the following Note to Dr Hope.

" Dr Hamilton begs leave to inform Dr Hope, that it was not till last night that he had any accurate information on the *tenor* of Dr Hope's Motion of 12th February 1825. He hastens to assure Dr Hope, that the Motion in question will in due time receive all the notice it merits."

In redeeming the pledge contained in the above Note, I now submit the following observations to your serious consideration.

Dr Hope's Motion, seconded by the Reverend Dr Brunton, states, " That though the Senatus Academicus are perfectly sensible that many of the allegations in the Memorial presented to the Town Council, dated 19th January 1824, respecting the Medical School in general, and the Members of the Medical Faculty, and the mode in which they conduct their Lectures in particular, are totally unfounded, highly injurious to the character of the Medical School,

as well as of individual Professors, and that the conduct of Dr Hamilton is so far highly reprehensible," &c.

This is the old hackneyed, often refuted, allegation of that party of the Senatus who have been pleased to resist my just claims. It was first made by the Medical Faculty in their Report upon my Memorial; and when I requested a specific reference to particular passages in which the injurious allegations respecting the Medical School, the Medical Faculty, and the mode in which the Medical Professors conduct their Lectures, were expressed, the answer of the Medical Faculty was, "that they can have no wish to fasten on Dr Hamilton language and reasonings which he formally disclaims; but they refer to page 17. of his printed Memorial, as *apparently implying an accusation* against them."

The words of that unlucky page 17. are these: "On looking into the Letter dated January 15th 1816, addressed to the Senatus Academicus, which contains a candid exposition of Dr Hope's arguments, it must be evident to the Honourable the Patrons, that in the objections against the Memorialist's claim, urged with such earnestness by the Doctor as the Advocate of the Medical Faculty, no allusion was made to the interests of the public, nor of the Medical Students; and a plausible objection to the claim of the Memorialist, that enforcing attendance upon his Class would add to the expenses of the Students who intend to graduate, was never even hinted at. It is of most essential importance to attend to this fact; for, according to the sincere belief of the Memorialist, it was the result of a consciousness, that the Medical Faculty had an interest in keeping any allusion to the expenses of Graduation quite out of view. His reason for believing so is, that a few years only had elapsed since the Medical Faculty had induced the Senatus Academicus to sanction a regulation, by which the Fees of Graduation were to be near-

ly doubled, without adding one farthing's worth of knowledge to the Graduates."

" Had this fact been divulged, the natural inference might have been, that the Members of the Medical Faculty have no compunction whatever in heaping expenses on the Students, provided the money should come into their own pockets ; while they have the utmost reluctance to let them spend Four Guineas upon the acquisition of knowledge of the very first necessity to their usefulness in society. It was obviously the interest of the said Faculty, therefore, to avoid any allusion to the expenses of Graduation."

" By the interference of the Honourable the Patrons, this measure, proposed by the Medical Faculty, and sanctioned by a majority of the Senatus Academicus, was abandoned even after the edict for its execution had been issued and distributed among the Students ; and after a remonstrance, claiming an exemption from the double Fees, by those Students who had attended the College for three years on the faith that the Fees of Graduation were fixed, had been indignantly rejected."

Every Member of the Senatus Academicus, with the exception of the Medical Faculty and the Reverend Dr Brunton, must be satisfied, that the above words relate to a hypothetical case, and that they ought to have been passed over *sub silentio* by the parties in question. The facts stated remain *uncontradicted*. The inference was only *conditional*.

In the printed Memorial which has called forth such a censure from Dr Hope and the Reverend Dr Brunton, my object, as the Medical Faculty have been told again and again, was to show, that the Course of Medical Education established in 1726, must in the present day be imperfect ; and while I pointed out that no *practical* information was gi-

ven on the Diseases of Women and Children, the fair construction of my words, as the whole practising part of the Profession will testify, is, that the duty of the Medical Professors, *as the Medical Faculty was then constituted*, did not *necessarily* lead them to teach the Diseases of Women and Children ; as Dr Coventry has well remarked, “ although
 “ those subjects, viz. the diseases of Women and Children, may be
 “ all divided and absorbed by the six Gentlemen of the Medical
 “ Faculty, as they are called, they would be obliged, by their doing
 “ so, to *displace* so much *useful*, and, as to their province, *more appropriate* matter.”

Every impartial person who looks over my Letter to the Meeting of 12th February 1825, (read, I am assured, with great distinctness by our Secretary,) and who compares it with the effusions of Dr Duncan senior, must at once see, that since the Senatus chose to deliberate upon the question, there were only two ways in which they ought to have decided, viz. either, “ That as the subject at issue between Dr
 “ Duncan senior and Dr Hamilton was referred to a Court of Law,
 “ the Senatus could not entertain the question ;” or, “ That Dr Hamilton having shewn that he had made no personal allusion to Dr Duncan senior in his Memorial, the Senatus considered the charge unfounded.”

If it had been whispered to me, that instead of such an obvious way of disposing of a motion which had annoyed many of my Colleagues, certain Members of the Senatus Academicus had conspired to pass a censure upon me, under the colour of considering Dr Duncan's motion, I could never have guessed that the mover and the seconder of any Resolution to that effect, could have been Dr Hope and the Reverend Dr Brunton. Their endeavours to influence some of the Members of the Town-Council against my claim, and the rebuffs they had encountered, were indeed not unknown to me. But the very circumstance of those endeavours having been made *secretly*; betrayed, as I considered it, an unwillingness to oppose publicly my
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new appointment ; and as that had been granted, I had supposed that they could not take any steps which might involve them in an open warfare with me.

Besides, I have no hesitation in declaring my conviction, (without meaning any personal offence to those Gentlemen), that they are the two Members of the *Senatus Academicus*, among the least competent, from their experience, to decide upon the education of men who are to be engaged in the active duties of Medical Practice, and, of course, to estimate the utility of my Professorship ; and I have no doubt, that in this opinion every Medical Practitioner in Edinburgh will cordially agree.

Dr Hope should recollect, that he has not practised Medicine for above twenty years past, and therefore, that he could have had no opportunity of understanding the present state of Medical Knowledge. Since his day, there has been a very great change in the acquirements and in the manners of Medical Practitioners, and it can scarcely be doubted, that there ought therefore to be a correspondent change in the course of Education.

As to the Reverend Dr Brunton, his interference in the affairs of the Medical Department of the University is, perhaps, still more inexcusable. As one of the Clergymen of the Established Church of Scotland, as Professor of Oriental Languages, and as joint and resident Librarian of the College, it may be supposed, that his time is too fully occupied to leave leisure for legislating for the Medical Faculty ; and even if he had that leisure, it cannot be conceded that he has the necessary previous knowledge of the subject.

But leaving the mover and the seconder of this attempt at censure upon my conduct, to their own reflections, let us consider the motion itself. It bears, “ That though the *Senatus Academicus* are perfectly
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sensible

sensible that many of the allegations in the Memorial presented to the Town Council, dated 19th January 1824, respecting the Medical School in general, and the members of the Medical Faculty, and the mode in which they conduct their Lectures, in particular, are totally unfounded,—highly injurious to the character of the Medical School, as well as of individual Professors, and that the conduct of Dr Hamilton is so far reprehensible,” &c.

And now, contrast with the above, the following Extract from the Report of the Committee of the Senatus, to whom that very Memorial was remitted on the 24th January 1824. *The Reverend Dr Brunton was one of the Members of that Committee.* The Report, it is to be specially noticed, was unanimously approved of, in what respects this Extract, by a full Meeting of the Senatus, held on the 20th March 1824, at which both Dr Hope and the Reverend Dr Brunton were present, and *it was sent up by the Senatus to our Honourable Patrons.*

“ The Committee are willing to give Dr Hamilton *the fullest credit for the disinterestedness of his motives and intentions in originating the present proceedings, and in submitting his Memorial and Petition to the Honourable Patrons*; and they are *entirely satisfied*, that he believed all the statements of facts which he has made in his Memorial to be well founded, and all his inferences from these statements to be just. But it does appear to the Committee, that he has indulged on several points, in very material misconceptions, and that these misconceptions have led him into some mistakes, which it seems incumbent on them to notice and explain, in order that the justness of the conclusions to which they have come may be duly estimated.”

With the knowledge of the above deliberate judgment of the Senatus Academicus, it is a most extraordinary fact, that Dr Hope and the Reverend Dr Brunton should have ventured to propose a motion to the Senatus, so directly at variance with their previous decision of
March

March 20th 1824; but it is still more surprising, that they should have found a party in the Senatus willing to entertain such a motion. The most prejudised of that party must now see, that the motion in question ought to be expunged from our Minutes.

But even if there had not been so strong an evidence of the irregularity of the proceedings of those who permitted the motion of the 12th February 1825 to be inserted in our Minutes, I should have held the matter to have been a *res judicata* upon another ground. On my receiving a new commission on the 2d August 1824, and on being admitted *de novo* with extended privileges, there was, according to every principle of equity, a termination to all the previous proceedings. Neither Dr Hope, nor the Reverend Dr Brunton, nor any other member of the Senatus Academicus, had any title to bring my printed Memorial of January 19th 1824 again under the notice of the Senatus. Had all the allegations contained in Dr Hope's motion, seconded by the Reverend Dr Brunton, been founded in truth, (and if they had been, a reference would surely have been made to the proofs,) the opportunity for censuring them had passed away, by the very act of the Senatus in receiving me under my new commission.

Nay, I will venture to go a little further, and to state with due submission, that if my printed Memorial of 19th January 1824 had represented the Medical Faculty, as "disregarding an arrangement reasonable in itself, and advantageous to the Students;" as "adopting an arrangement which was accompanied with the additional unfairness of placing my Class on a worse footing than it was before;" as "suggesting a regulation which was an act of flagrant injustice;" and as "making a declaration leading to inferences not very creditable to the dignity and independence of the Senatus Academicus," all which expressions are quotations from the printed letter of one of our Colleagues, the Senatus Academicus could not have taken any cognizance of it. Had that Memorial contained the assertion, "that no one can allege, that legal Medicine is taught, directly or indirectly, in the course

course at present enjoined on the Graduates of our University," an assertion sent to the Senatus in print by another of our Colleagues, neither Dr Hope nor the Reverend Dr Brunton could have been entitled to bring the matter under the review of the Senatus Academicus, after having recorded my new commission.

Again, I take the liberty to assert, as I have so often already done, *that there is not one expression in my printed Memorial of 19th January 1824, which can be pointed out as supporting, even in a remote degree, any one of the allegations in the motion made by Dr Hope, and seconded by the Reverend Dr Brunton.* It is a most wonderful circumstance, that although the several Members of the Medical Faculty have always held out the very allegations contained in Dr Hope's motion, and have, according to my information, declared, upon different occasions, within these few weeks, at Meetings of the Senatus Academicus, that in my printed Memorial, "I had misrepresented the nature of their Lectures," not one of them, except Dr Duncan senior, has ever been able to specify a particular paragraph in proof of such charges; and you must be convinced, that Dr Duncan senior has proceeded upon a paragraph of his own manufacturing,—by leaving out one of my words, he has totally perverted my meaning. Can the Professor of Chemistry, or the Professor of Botany, or the Professor of Anatomy, or the Professor of Materia Medica, shew one sentence in my printed Memorial which misrepresents their duties? The Professor of the Practice of Physic has told the Senatus, that out of an hundred and forty Lectures which he gives annually, about ninety relate to the Diseases of Women and Children. If this be true, I admit that I have misunderstood the nature of his Lectures. He has, however, no right to complain that I have said, that it is not the duty of the Professor of the Practice of Physic to teach the Diseases of Women and Children; for it is the will of the Patrons, that Lectures on those subjects should be given by one actually engaged in *practising* in such diseases, and not by a general Practitioner; and there can be only one opinion upon the utility of this plan.

Were

Were it in the power of the Senatus Academicus, (which, with great submission, I deny), to entertain the motion of Dr Hope, seconded by the Reverend Dr Brunton, I should demand, as a preliminary step, that those Gentlemen should be required to condescend upon the particular expressions on which they found their heavy censure. I distinctly aver and declare, *that no such expressions can be pointed out in my printed Memorial of January 1824.*

Having thus endeavoured to convince you of the *irregularity* of the proceedings of that Meeting, which agreed to receive the motion of Dr Hope, seconded by the Reverend Dr Brunton, I proceed to enquire into the *expediency* of that motion. To what purpose, I may surely ask, can angry discussions and recriminations among the Members of the Senatus tend?—Certainly not to the prosperity of the Medical School. I much fear, that while indulging their personal feelings, Dr Hope and the Reverend Dr Brunton have not paid due attention to the interests, and to the honour of the University.

It is impossible to suppose, that Dr Hope and the Reverend Dr Brunton could for one moment believe, that any censure which *they* might persuade a certain party of the Senatus to pronounce against me, could stay the proceedings now in train, to enforce the rights granted to me by my new Commission. They little know the sentiments of the Practical part of the Profession, and of the Public at large, if they imagine that any censure proceeding from *them*, could in the smallest degree affect my *Professional or my moral Character.*

By these remarks, I do not wish to proclaim open disobedience to the Senatus Academicus; for I solemnly assert, that if any part of my conduct towards my Colleagues can be proved incorrect in the estimation of impartial judges, I am ready to make the most ample apology which the Senatus can require. But I shall always strenuously resist what I consider to be *irregular and unjust proceedings*; and in the matters at present at issue between the Senatus Academicus and myself,

I shall pursue steadily the measures recommended by my legal advisers, without regard to any such motion or resolution as that entered on our records by Dr Hope, and seconded by the Reverend Dr Brunton.—I shall certainly, in the present temper of the Members who generally attend the Meetings of the Senatus, not be surprised, if they still allow the motion of Dr Hope, seconded by the Reverend Dr Brunton, to form part of our Records. But I can have no difficulty in obtaining redress. It is scarcely possible to imagine a case where law and reason more perfectly coincide.

I have the honour to be,

GENTLEMEN,

With due respect,

JAS. HAMILTON, Jun.

23. *St Andrew's Square,*
April 2. 1825.

P. S. The above letter was actually printed, when I received accidentally some information, which very much surprised me. I learned that several Members of the Senatus Academicus, with whom I have been for many years in habits of great intimacy, and who have had every proof in my power of my kindly feelings towards them and theirs, had, in several of the late Meetings of the Senatus, expressed in strong language, a most hostile resistance to my Claim, and that they had founded this opposition upon two grounds: *First*, That I had in my printed papers preferred injurious and false allegations against the Medical Faculty; and, *secondly*, That I had volunteered to request the interference of the Patrons in regulating the Course of Studies in the University, which they were determined to resist in the most decided manner.

I take this opportunity of assuring my old friends, that on both points they are misinformed. If the reasoning in the preceding pages
do

do not convince them that all the allegations originally brought forward by the Medical Faculty, (page 1st of their Report, and afterwards retracted, page 2. of their Notes on my Observations upon that Report, as already recorded, page 14. of this Letter), are utterly unfounded, I entreat them to read over carefully all my printed papers since 19th January 1824, and if they find any expressions or insinuations to countenance the accusations in question, I shall then readily excuse their inimical conduct. But if they do not find any paragraphs or sentences which they can point out to me, as supporting the motion of Dr Hope and the Reverend Dr Brunton, I sincerely hope, for their own credit, that they will act and talk differently from what, according to my information, they have been lately doing.

With respect to the second argument upon which they found their opposition, I take the liberty to tell them, that it is no fault of mine that I have appealed to the Patrons. 'There was in my apprehension an implied paction between the parties in the mutual communications between the Patrons and the Senatus, "that in future, Candidates for Medical Degrees should be required to attend Lectures on Midwifery, and the Diseases of Women and Children." From that paction it has pleased the Senatus to depart, though I most explicitly warned them of the consequences.

It happens most wonderfully, that even on this point the Senatus have already decided. The following is an extract from the same Report, dated March 11th 1824, and sent up to the Patrons. "The Committee have been willing to give full credit to Dr Hamilton for the purity of his own motives and intentions in the present proceedings; *and they hold him perfectly justifiable in advocating upon this occasion what he conceives to be the fair and just claims of the Chair, the duties of which he discharges so ably.* But they deeply regret, that in the naturally high impressions which he has of the strength of those claims, and in the ardour of prosecuting them, he has allowed expressions to appear in his Memorial so *liable to an interpretation unfavourable to the motives and intentions of some of his Colleagues.*"

Monday Evening,

April 4. 1825.

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